

ENTERED

July 09, 2019

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION

J&J SPORTS PRODUCTIONS, INC.,

Plaintiff,

VS.

LEONARDO O. MOYA; dba 1ST
STREET BAR,

Defendant.

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CIVIL ACTION NO. 7:19-CV-95

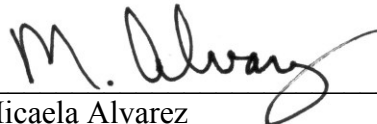
ORDER

The Court now considers the request for entry of default filed by J&J Sports Productions, Inc. ("Plaintiff").¹ Federal Rule of Civil Procedure 55(a) requires entry of default when a defendant "fail[s] to plead or otherwise defend, and that failure is shown by affidavit or otherwise" Both elements are satisfied here.

Here, Leonard O. Moya, individually and d/b/a 1st Street Bar ("Defendant"), was required to answer within 21 days of service;² in this case by May 10, 2019.³ Defendant has not answered or otherwise defended. Defendant's failure to answer is supported by the case docket itself and Plaintiff's counsel's affidavit⁴ which is subject to Rule 11 sanctions. Thus, both requirements for entry of default are satisfied, and the Clerk of Court is instructed to enter default against Defendant.

IT IS SO ORDERED.

DONE at McAllen, Texas, this 9th day of July, 2019.


Micaela Alvarez
United States District Judge¹ Dkt. No. 9.² See Fed. R. Civ. P. 12(a)(1)(A)(i).³ See Dkt. No. 8 (Return of service of the summons executed on April 19, 2019).⁴ Dkt. No. 9-1.